

NEW ACT ON LIABILITY INSURANCE OF CERTAIN PLEASURE BOATS ALSO APPLIES TO FOREIGN BOATS SAILING IN DANISH WATERS!



Denmark recently introduced new requirements of liability insurance of all watercraft for which Danish regulations require a certificate of operation (water scooters and speed boats). The regulations apply to certain planing boats under 15 metres (see Fact Box).

The new compulsory liability insurance covers strict liability in cases of personal injury by a compensation of up to approx. DKK 27 million. Property damage remains covered under the culpa principle and at an indemnity amount of up to approx. DKK 13.5 million.

The operator of the boat is responsible for the compulsory insurance being taken out and the operator must have an insurance certificate from an insurance company which is a member of the Danish association of insurance companies. The insurance certificate must include information about the owner of the boat, the boat's hull number and information on the expiry date of the insurance.

The insurance certificate must be presented to the Danish authorities at their request.

The Danish Sailing Association and the Danish Cruising Association may assist you in taking out the required liability insurance which will give you the right to sail in Danish waters.

CULPA LIABILITY

Culpa liability applies to property damage, where emphasis is on the following actions by the operator of the boat:

- Simple negligence
- Gross negligence
- Intentional act
- Accident

STRICT LIABILITY

Personal injury and loss of provider come under the so-called strict liability, which is often applied under e.g. the Road Traffic Act.

We are cooperating with insurance companies

Coverholder at **LLOYD'S**

WHICH BOATS WILL REQUIRE THE NEW INSURANCE?

Where the speed boat act applies to your boat (water scooter or speed boat), you are required to have the new compulsory liability insurance.

WHEN IS A BOAT A SPEED BOAT?

Your boat is a speed boat when the engine power measured in kW ($\text{hp} \times 0.74 = \text{kW}$) exceeds $\text{length} \times \text{length} + 3$.

EXAMPLE

A boat 7m long and with a 100 hp engine - ($100 \times 0.74 = 74 > 7 \times 7 + 3 = 52$).

The engine power is the highest figure, so it is a speed boat for which a speed boat licence is required. The new insurance requirements will apply to your boat.



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